

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@dor.oregon.gov

Janet Harrison
Lincoln County Legal Counsel
225 West Olive Street, Room 110
Newport OR 97365

Description and Map Approved
March 30, 2022
As per ORS 308.225

[x] Description [x] Map - Received from: Janet Harrison
On: 3/23/2022

This is to notify you that your Description and Map in Lincoln County for:
Annexation into the Yachats RFPD (Bailey)

Order No 3-22-103

has been: [x] Approved 3/30/2022
[ ] Disapproved

Department of Revenue File Number: 21-474-2022
Reviewed by: Robert Ayers, 503-983-3032
Boundary: [x] Change [ ] Proposed Change

The change is for:
[ ] Formation of a new district
[x] Annexation of a territory to a district
[ ] Withdrawal of a territory from a district
[ ] Dissolution of a district

If you have not already done so, the approved
version of the Description and Map must also be
filed with the County Assessor

[ ] Transfer
[ ] Merge
[ ] Establishment of Tax Zone

14-12-23 AB 101

worked
JV 333
22/23

## **AYERS Robert A \* DOR**

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**From:** Janet Harrison <jharrison@co.lincoln.or.us>  
**Sent:** Wednesday, March 23, 2022 4:21 PM  
**To:** Boundary Changes \* DOR; Mherbage@co.lincoln.or.us  
**Subject:** Lincoln County Annexation Order - Bailey  
**Attachments:** Order #3-22-103 Annexation Order- Bailey.pdf

Hello,

Attached please find Lincoln County Board of Commissioners Order #3-22-103 annexing property into the Yachats Rural Fire Protection District.

Please acknowledge receipt of this email.

Thank you

\*Janet Harrison, Paralegal\*

\*Lincoln County Counsel's Office/Risk Management  
225 West Olive St, Room 110  
Newport OR 97365  
541-154-4108

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**BEFORE THE COUNTY COMMISSIONERS  
FOR LINCOLN COUNTY, OREGON**

In the Matter of: **ORDER # 3-22-103**  
*ANNEXATION OF CERTAIN PROPERTY* )  
*INTO THE YACHATS RURAL FIRE* )  
*PROTECTION DISTRICT (BAILEY)* )

WHEREAS on or around February 4, 2022, the Lincoln County Board of Commissioners received a petition from Irene Bailey, pursuant to ORS 198.857 and ORS 478.115, to annex property into the Yachats Rural Fire Protection District (*see* Exhibit “1” attached to and made a part of this Order); and

WHEREAS March 23, 2022, was set as the date for hearing on the petition and notice of the hearing was issued and mailed in accordance with ORS 198.857 (*see* Exhibit “2” attached to and made a part of this Order); and

WHEREAS the Board conducted a public hearing on March 23, 2022, and found that the criteria prescribed by ORS 198.857 for annexation have been met; therefore,

**IT IS HEREBY ORDERED THAT:**

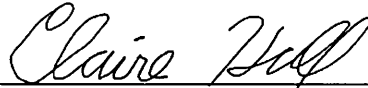
(1) The Board approves of the annexation of the property described in the petition into the Yachats Rural Fire Protection District, and the property is hereby annexed into that district.

(2) In accordance with ORS 198.780 and 308.225, within 10 days from the date of this Order, a copy of this Order shall be filed with the Oregon Department of Revenue, the Oregon Secretary of State, the Lincoln County Clerk, and the Lincoln County Assessor.

- 1           (3) A copy of this order shall also be forwarded to: the Yachats Rural Fire Protection  
2    District, P.O. Box 1, Yachats, OR 97498; and County Counsel Kristin H. Yuille.

DATED this 23rd day of March, 2022.

LINCOLN COUNTY BOARD OF COMMISSIONERS



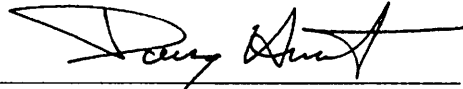
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Claire Hall, Chair

Excused

---

Kacty Jacobson, Commissioner



---

Doug Hunt, Commissioner

**EXHIBIT 1**

**PETITION BY LANDOWNER FOR ANNEXATION TO THE  
YACHATS RURAL FIRE PROTECTION DISTRICT  
IN LINCOLN COUNTY**

Pursuant to Oregon Revised Statutes (ORS) 198.857

This form is to be used by a single landowner, with or without co-owners, who owns a parcel of land (territory) to be considered by the Board of Commissioners for annexation.

To the Board of County Commissioners of Lincoln County:

I the undersigned landowner of the territory described below, request that proceedings be initiated for the annexation of said territory to the Yachats Rural Fire Protection District. Attached hereto as Exhibit A, and incorporated herein by reference, is a legal description of the boundary of the territory proposed to be annexed. Also attached hereto as Exhibit B, and incorporated herein by reference, is a map of the territory proposed to be annexed.

All or some of the territory proposed to be annexed is within the following: Lincoln County. The affected district is Yachats Rural Fire Protection District, operating under ORS Chapter 478.


**PETITIONER:** Provide Township, Range, Section and Tax Lot Number(s) of the territory proposed to be annexed.

Township 14 / Range 12 / Section 23 / Tax Lot R478440

Total Number of acres +/- or Assessed Acres 4.95

Irene Bailey

Petitioner's Printed Name



Signature

12/13/21

Date of Signature

\_\_\_\_\_  
Name of Co-Owner (if any)



RECORDING REQUESTED BY:



900 SW 5th Avenue  
Portland, OR 97204

**GRANTOR'S NAME:**  
Thomas Ward Kammerer and Consuelo Loprinzi Kammerer Living Joint Trust, dated August 4, 2017

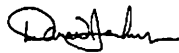

**GRANTEE'S NAME:**  
Irene Bailey and Thomas Clinton Bailey

**AFTER RECORDING RETURN TO:**  
Order No.: 45142109228-RC  
Irene Bailey  
P.O. Box 531  
Yachats, OR 97498

**SEND TAX STATEMENTS TO:**  
Irene Bailey  
P.O. Box 531  
Yachats, OR 97498

APN: R478440  
3526 NE East Line Road, Yachats, OR 97498

Lincoln County, Oregon  
 04/23/2021 12:54:07 PM  
 DOC-WD Cnt=1 Pgs=4 Stn=10  
 \$20.00 \$11.00 \$10.00 \$60.00 \$7.00 \$108.00  
 I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.

Dana W. Jenkins, Lincoln County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Thomas Ward Kammerer and Consuelo Loprinzi Kammerer, as Trustees of the Thomas Ward Kammerer and Consuelo Loprinzi Kammerer Living Joint Trust, dated August 4, 2017, Grantor, conveys and warrants to Irene Bailey, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Lincoln, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED THIRTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$238,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

45142109228-01 / WT0213464  
Fidelity National Title of Oregon

STATUTORY WARRANTY DEED  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 4/22/2021

Thomas Ward Kammerer and Consuelo Loprinzi Kammerer Living Joint Trust, dated August 4, 2017

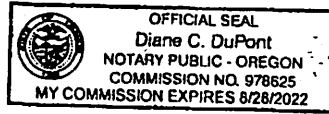
BY: Thomas Ward Kammerer  
Thomas Ward Kammerer  
Trustee

BY: Consuelo Loprinzi Kammerer  
Consuelo Loprinzi Kammerer  
Trustee

State of OREGON  
County of Lincoln

This instrument was acknowledged before me on April 22, 2021 by Thomas Ward Kammerer and Consuelo Loprinzi Kammerer as Trustees of the Thomas Ward Kammerer and Consuelo Loprinzi Kammerer Living Joint Trust, dated August 4, 2017.

Diane C. DuPont  
Notary Public - State of Oregon  
My Commission Expires: 8-28-2022



**EXHIBIT "A"**  
Legal Description

Beginning at a point 40 rods West of the Northeast corner of the North half of the Northwest quarter of the Northeast quarter of Section 23, Township 14 South, Range 12 West, Willamette Meridian, in Lincoln County, Oregon; and running thence South 20 rods; thence West 40 rods, more or less, to the West line of the Northeast quarter of the said Section 23 in said Township and Range; thence North 20 rods along the West line of the Northeast quarter of said Section 23; thence East, 40 rods, more or less, to the point of beginning. Save and except a 20 foot strip of even width along the East side, which is reserved for road purposes.

**EXHIBIT "B"**  
Exceptions

Subject to:

SPECIFIC ITEMS AND EXCEPTIONS:

Regulations, levies, liens, assessments, rights of way and easements of Starr Creek Road District.

Rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Recording Date: February 19, 1959

Recording No: Book 197, Page 539, Lincoln County Records

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to

share the costs of maintenance, contained in Easement

Recording Date: November 16, 1970

Recording No.: Book 22, Page 532, Lincoln County Records

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Southwest Lincoln County Water District

Recording Date: February 24, 1994

Recording No: Book 277, Page 340, Lincoln County Records

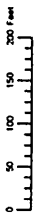
Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pioneer Telephone Cooperative, an Oregon corporation

Recording Date: June 3, 2002

Recording No: Book 450, Page 1779, Lincoln County Records

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

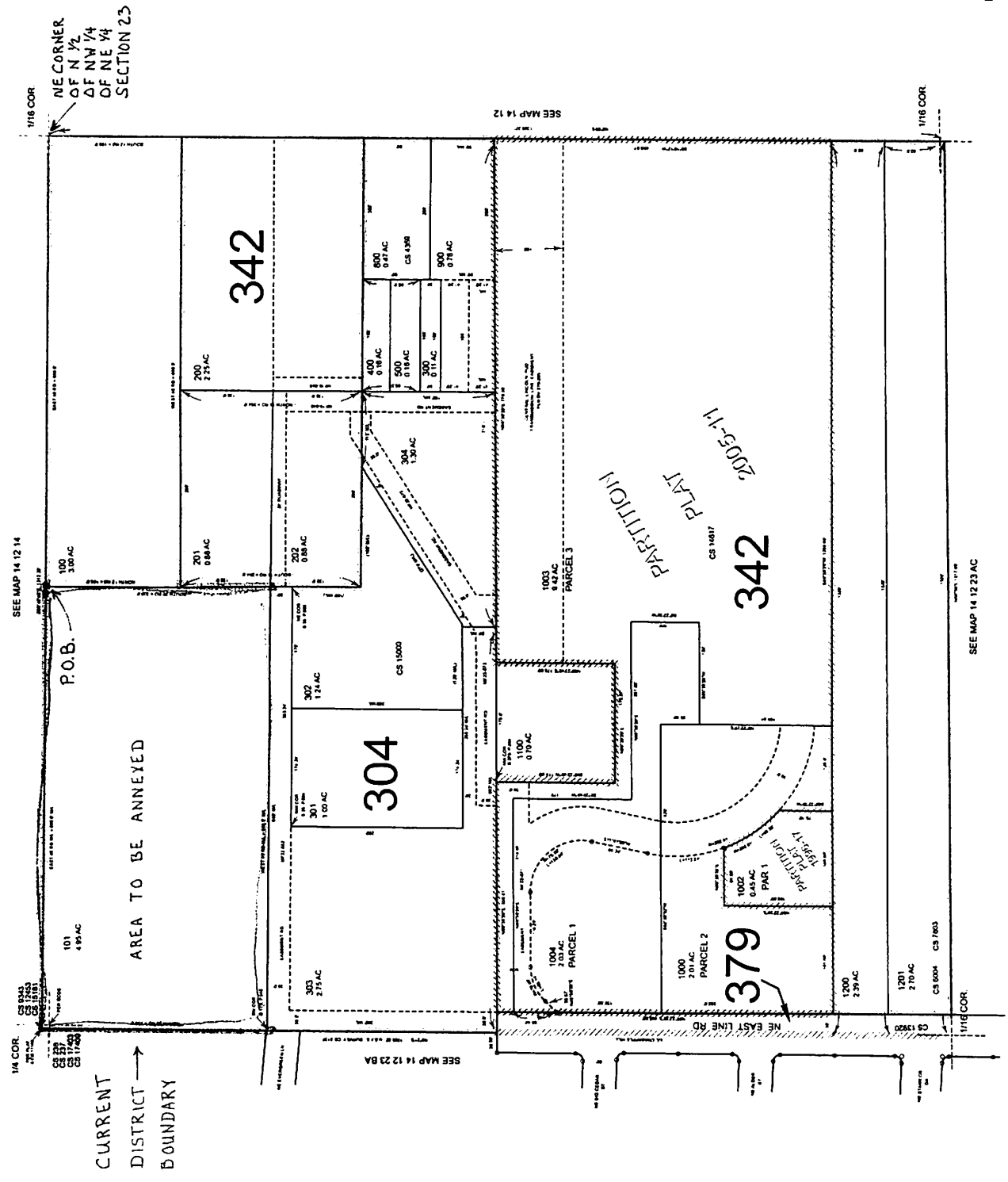


N.W. 1/4 N.E. 1/4 SEC. 23 T. 14S. R. 12W. W.M.  
LINCOLN COUNTY  
1" = 100'

14 12 23 AB

Cancelled  
05  
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1001

EXHIBIT 2



Revised SEB  
08/11/2011

14 12 23 AB

EXHIBIT 2



**OFFICE OF LINCOLN COUNTY LEGAL COUNSEL**

225 West Olive Street, Room 110  
Newport, Oregon 97365  
(541) 265-4108  
Fax: (541) 265-4176

**Kristin Yuille**  
County Counsel  
**Wayne Belmont**  
Assistant County Counsel  
**M. Gerard Herbage**  
Assistant County Counsel  
**Brian Gardner**  
Assistant County Counsel  
**Janet Harrison**  
Paralegal

To: Irene Bailey  
3526 NE East Line Road  
Yachats, OR 97498

Re: Township 14/ Range 12/ Section 23/Tax Lot R478440

Dear Ms. Bailey:

The Lincoln County Board of Commissioners (the Board) has received a petition to annex the above-referenced property into the Yachats Rural Fire Protection District (the District). The petition was endorsed by the Board of Directors of the District.

The Board will hold a public hearing on the proposed annexation on March 23, 2022, at 10:00 A.M. In making its decision on the proposed annexation, the Board will consider the local comprehensive plan for the area. (ORS 198.857(4)). To comply with ORS 192.610-192.690 (Oregon Public Meeting Law) as amended, and to safeguard against the spread of COVID- 19, this hearing will be conducted remotely via electronic means. There will be no in-person attendance by the applicant, agent or interested parties. The hearing will be livestreamed and can be observed by the following link:

[https://www.youtube.com/channel/UCwNz5TMvHTN4itpJm\\_efb9Q](https://www.youtube.com/channel/UCwNz5TMvHTN4itpJm_efb9Q)

Opportunity for oral testimony for this hearing will be provided via video conference. Any person wishing to provide oral testimony must follow instructions at: [https://us02web.zoom.us/webinar/register/WN\\_M6Ov9TgNSpKxLJNF\\_wGKXQ](https://us02web.zoom.us/webinar/register/WN_M6Ov9TgNSpKxLJNF_wGKXQ)

All interested persons may appear via video conference and be heard. Interested persons can also submit written testimony or documents to the Office of Legal Counsel, 225 West Olive Street, Room 110, Newport Oregon 97365, or email [mherbage@co.lincoln.or.us](mailto:mherbage@co.lincoln.or.us). Questions regarding the hearing may be directed to M. Gerard Herbage, Assistant Lincoln County Counsel, at the above addresses.

Dated and mailed this 17th day of March, 2022.

*/s/ M. Gerard Herbage*  
M. Gerard Herbage  
Assistant Lincoln County Counsel

PC- Yachats Rural Fire Protection District, P.O. Box 1, Yachats, OR 97498

